

**PROCEEDINGS OF THE GREEN COUNTY BOARD OF SUPERVISORS**

**June 13, 2006**

Arthur Carter, Chair, called the meeting to order.

The Clerk read the roll with 26 present and 4 absent being Hodgson, Stettler, Wickline and Francois.

The Board recited the Pledge of Allegiance.

Motion by Dalton, seconded by Mielke to approve the minutes of the May 9, 2006 meeting. Motion carried by a unanimous voice vote.

A regional economic development presentation was given by Larry Ward, Southwestern Wisconsin Regional Planning Commission Executive Director.

**RESOLUTION 6-1-06**

***Resolution Authorizing Submission of a Community Development Block Grant Application***

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

**WHEREAS**, after public meeting and due consideration, the Finance Committee of the Green County Board of Supervisors recommended that an application be submitted to the State of Wisconsin for the New Glarus Brewing Company expansion project; and

**WHEREAS**, it is necessary for the Green County Board of Supervisors to approve the preparation and filing of an application for the County to receive funds from this program; and

**WHEREAS**, the Finance Committee of the Green County Board of Supervisors has reviewed the need for the proposed project and the benefit to be gained therefrom.

**NOW, THEREFORE, BE IT RESOLVED**, by the Green County Board of Supervisors, in legal session assembled, that the Board does approve and authorize the preparation and filing of an application for the above-named project; and

**BE IT FURTHER RESOLVED**, that the Board Chair is hereby authorized to sign all necessary documents on behalf of the County; and

**BE IT FURTHER RESOLVED**, that authority is hereby granted to the Finance Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE:**

Harvey Mandel, Chair

Arthur Carter

Sue Disch

Dennis Everson

Dave Rufenacht

Motion by Mandel, seconded by Disch to adopt Resolution 6-1-06. Motion carried by a unanimous voice vote, with Everson abstaining from the vote.

**RESOLUTION 6-2-06**

***Resolution Transferring Funds For Fund Transfer - Internet Consultant***

**WHEREAS**, Green County is experiencing significant internet interruptions which interfere with the operations of many county offices; and,

**WHEREAS**, the Finance and Accounting Committee has explored options to determine what steps need to be taken to remedy this problem; and,

**WHEREAS**, it has been determined that the services of an outside consultant with expertise in internet engineering is necessary.

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the Board follow the recommendation of the Finance and Accounting Committee for the following fund transfer to the Data Processing account in the amount of Ten thousand dollars (\$10,000) for the purpose of hiring an outside consultant.

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE:**

Harvey Mandel, Chair

Sue Disch, Vice-Chair

Arthur Carter

Dennis Everson

Dave Rufenacht

Motion by Mandel, seconded by Disch to adopt Resolution 6-2-06. Motion carried by a unanimous voice vote.

**RESOLUTION 6-3-06**

***Resolution Transferring Funds For Fund Transfer - Register of Deeds Imaging Software***

**WHEREAS**, the current imaging system in the Register of Deeds office needs to be updated; and

**WHEREAS**, support for the current software is not readily available and a change in software vendors would solve the support issues and provide a more useable system; and

**WHEREAS**, the City of Monroe Police Department has been using an imaging system that can be expanded to accommodate the needs of the Register of Deeds office at a reduced cost; and

**WHEREAS**, the Finance and Accounting Committee has reviewed a proposal for the purchase of additional software licenses to enable the sharing of the software system, installation and training on the new software, with conversion of old documents at a total cost of \$24,250, and deemed it to be necessary; and

**WHEREAS**, funds budgeted for the imaging upgrade are not sufficient to cover the total costs involved; and

**WHEREAS**, expenditures in excess of amounts budgeted must have full County Board approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the Board follow the recommendation of the Finance and Accounting Committee and approve a fund transfer in the amount of Thirteen thousand dollars (\$13,000) to the Register of Deeds account.

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE:**

Harvey Mandel, Chair

Sue Disch, Vice-Chair

Arthur Carter

Dennis Everson

Dave Rufenacht

Motion by Mandel, seconded by Furgal to adopt Resolution 6-3-06. Motion carried by a unanimous voice vote.

**ORDINANCE 06-0601**

***Various Zoning Code Changes***

**WHEREAS**, the Green County Land Use and Zoning Committee is charged with the study and development of zoning and land use programs for Green County; and

**WHEREAS**, at the request of the Zoning Administrator, the Green County Land Use and Zoning Committee has reviewed the Green County Code with regard to zoning, subdivision and sanitary regulations; and

**WHEREAS**, the Green County Land Use and Zoning Committee has determined that the code is in need of updating.

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that the following additions, deletions and corrections be made to Title 4 of the Green County Code.

**4-3-2-1:BUILDINGS AND USES**

- D. 1. Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot and in no case shall there be more than one residential building per equivalent lot size area on the parcel.
2. Each parcel or lot shall be adjacent to a public right of way. However, up to six (6) adjacent lots serving single family or two family residences may share a common drive or easement access. Lots or parcels, which are a part of a commercial, business, industrial, apartment or condominium development, may be serviced by a private road, street or lane if approved as part of the overall development.
- F. 6. Lots which do not conform to the requirements of §4-3-2-1.D.2., which have previously been approved and which are adjacent to and serviced by private road access which has already been constructed prior to the effective date of this ordinance are exempt, provided they comply with the other provisions of this title for the district in which the lot is located. This exemption applies only to those lots adjacent to a private road access which has been constructed to the applicable township or municipal standards in force at the time of its construction, if any. Exemption is not conferred to those lots unless construction of the private road access has been extended fully to said lot. Those lots not so serviced must comply with all provisions of this title. Evidence of construction of an acceptable private road access must be demonstrated by the applicant.

**4-5-2-1:GENERAL PROVISIONS**

A. Compliance:

- ~~1. Any division of land which results in the creation of a lot or lots, less than five (5) acres in area, excluding the land lying in the road right-of-way shall be surveyed by a certified~~

~~surveyor, reviewed by the County Zoning Committee for land suitability, and a certified survey map recorded within 90 days.~~

1. Land Division. The division of a parcel of land which is not a subdivision and which is less than thirty-five (35) acres shall be surveyed by a certified surveyor and reviewed by the Green County Zoning Administrator for land suitability, and a certified survey map shall be recorded within ninety (90) days time.  
Where the land division requires a new highway or road access, and where after reviewing the proposed land division, the Green County Zoning Administrator has approved the division for land suitability, final approval shall be held for a period of ninety (90) days pending receipt of approved highway or road access permits from the governing municipality. Once necessary permits have been filed with the Zoning Administrator's office, a certified survey map shall be recorded within ninety (90) days. Failure to supply the necessary permits will result in disapproval of the proposed land division.
2. Any division of land which results in a subdivision as herein defined shall be in compliance with all the provisions of this Title and those sections of Chapter 236, Wis. Stats., ~~relating to subdivisions defined under §236.02 (8), Wis. Stats.,~~ including review procedures by State agencies having authority to object to plats.
3. When a replat of a recorded subdivision or part thereof is proposed, the subdivision shall be vacated or altered according to the provisions of §236.40 through §236.445, Wis. Stats.
4. ~~For plat approvals not requiring Committee approval under Sec. 4-5-2-1-A-1, but requiring state plat review under §236.10, Wis. Stats., due to various municipalities' land division ordinances, the "County Planning Agency" shall be deemed to be the Office of Zoning Administrator. Any required approvals shall be submitted to said office with no need for approval by the Green County Zoning Committee unless otherwise required by law.~~
4. Combining Parcels: The combining of two or more parcels of land into a single parcel shall comply with the requirements of §4-5-2-7 of this ordinance.
5. All platted lots shall be surveyed to the center line of the adjacent road access, whether public or private, if the access is shared by more than one (1) lot. No roads will be surveyed out as outlots, nor given separate tax parcel identification numbers.

#### **4-5-2-2:LAND SUITABILITY**

~~No land shall be subdivided which is held~~ No land divisions or subdivisions shall be permitted if such land division or subdivision which would result in a violation of this Title or which is deemed to be unsuitable for the proposed use by the County Planning Agency for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities, emergency vehicle access or any other feature or condition reasonably likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the community. The County Planning Agency may request that the subdivider submit the proposed land division or subdivision for review by an approved engineer. Any costs associated with the land division or subdivision review shall be borne by the applicant. The County Planning Agency in applying the provisions of this Chapter shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing as provided in Chapter VI, Administrative Provisions. Thereafter the County Planning Agency may affirm, modify or withdraw its determination of unsuitability.

#### **4-5-2-3:DEDICATION**

- A. All land divisions and subdivisions layouts shall be developed in proper relation to existing and proposed streets, the topography, surface water, vegetative cover, other natural features, and the most advantageous development of adjoining areas. The County Planning Agency may require that suitable sites not to exceed five percent (5%) of the total area of the subdivision be dedicated or reserved for future public use such as parks, playgrounds, public access and open spaces as needed by the subdivision, subject to acceptance thereof by the County or Town. Any part of a public street, drainage way or other public way which is indicated on a comprehensive plan or plan component shall conform to the arrangement, width and location indicated, and shall be offered acceptance of for dedication to the public by the County or Town shall be indicated on the CSM or plat, and official acceptance forms shall be filed with the County Planning Agency.

#### 4-5-2-5:IMPROVEMENTS

Before final approval of any plat or CSM the subdivider may install required street and utility improvements or if such improvements are not installed at the time that the final plat or CSM is submitted for approval, the subdivider shall, before recording the plat or CSM, enter into a contract with the County agreeing to install the required improvements and shall file with said contract a surety bond meeting the approval of the Corporation Counsel as a guarantee that such improvements will be completed by the subdivider or his/her subcontractors not later than one year from the date of recording of the plat or CSM or later if specified. One week prior to the time each improvement is to be installed and upon its completion, the subdivider must notify the County Planning Agency so that adequate inspections can be made. (Ord. 04-0101, 01/13/04)

##### A. Public Streets:

1. The subdivider ~~shall~~ may be required to dedicate land for and improve public streets. Public streets shall be designed and located to take into account:
3. Except as otherwise specified, construction standards for public streets shall be to local road standards or the State of Wisconsin's Facility Development Manual, whichever is more restrictive. Where there are no local road standards, the minimum standards of the Division of Highways shall apply. The subdivider shall grade the roadbeds in the roadway width to subgrade and shall surface all roadways to the width prescribed by these regulations. All stages of the improvements shall be supervised and approved by the township or municipality in which they are located.
5. Private Road. Where a subdivider is not required to install or improve a public street, but may use a shared private road, common drive or access easement, such shared private road, common drive or access easement shall be constructed to a minimum of eighteen (18) feet of surface roadway and three (3) feet of drivable shoulder and the local township road standards or the State of Wisconsin's Facility Development Manual, whichever is more restrictive. However, these design standards shall not apply to individual private drives accessing off of public roads or shared private roads, common drives, or access easements.  
For those land divisions comprised of more than three (3) lots on a shared private road, common drive, or shared access easement, the subdivider shall install a pull-out of sufficient size and design to ensure safe mail delivery and school bus access.

#### 4-5-2-7: COMBINING PARCELS.

A certified survey map shall be required for the combining of two or more existing tax parcels or existing parcels of record into a single lot unless such combining is required by the local assessor and is necessary for valuation purposes under §70.23(2), Wis. Stats. Certified survey maps used to combine existing tax parcels or existing parcels of record must meet the following requirements:

1. The map shall be clearly headed "CERTIFIED SURVEY MAP" and subheaded "COMBINING OF PARCELS DESCRIBED IN [list recorded documents]."
2. The surveyor's certificate shall include the statement that "this certified survey map is not a division of property but a combining of parcels into a single parcel and description."
3. The parcels must be contiguous; under identical ownership; and with in the same municipality and taxing jurisdiction.

Parcels, which have been combined under this section, shall not be subsequently reestablished or separately conveyed unless a new certified survey map or plat is submitted and approved in accordance with this ordinance.

#### 4-6-1-2: PERMITS

##### A. Zoning or Land Use Permit:

6. Except as provided in §4-3-2-1.F.6., no zoning permit for any residence or for the first building on a lot shall be issued unless said lot is serviced by direct access to a public right of way or via easement access servicing no more than six (6) single or two-family residences on a public right of way and until receipt by the Zoning Department of the original approved written Driveway/Access Verification Certification form, complete with the required attachments as indicated on the form, which has been signed and dated within 90 days of the date of the zoning permit application. If more than one access is proposed for a lot, or if an additional new access or driveway is proposed to be constructed, an approved Driveway/Access Verification Certification form will be required even though the proposed building may not be a

residence or the first building on the lot. If a township refuses to provide an approved or denied Driveway/Access Verification Certification form within the time period, the township shall appear before the Green County Zoning Committee and indicate its reasons for its inaction or, in the alternative, provide written justification for its inaction for inclusion in the Committee Minutes. Failure of the township to take any action will result in ~~the issuance a~~ denial of a zoning permit for said lot. Blank forms for the Driveway/Access Verification Certification will be provided by the Zoning Department, and updated as needed.

The intent of this section is to discourage shared private roads. Any lot or parcel legally created and recorded in the Register of Deeds office prior to the adoption of this ordinance may be increased in size by the addition of all or part of adjoining lots or parcels and such resulting lots or parcels may be used for any purpose permitted in the district in which they are located provided that the resultant lots or parcels shall not be reduced below the minimum requirements of the district. Further, where the terms of this section cannot be met, a variance under §4-6-1-5 may be requested.

**4-6-4: DEFINITIONS**

**RESIDENCE, MULTIPLE-FAMILY:** A building, or portion thereof used or intended to be used by two (2) three (3) or more families living independently of each other.

**RESIDENCE, TWO-FAMILY:** A detached building designed for and occupied by no more than two family units. Commonly known as a duplex.

**SUBDIVIDER:** A person, firm, corporation and/or their designated agent initiating the creation of a land division or subdivision.

**SUBDIVISION:** Any land division where:

- a) The act of division creates 7 or more parcels or building sites of 10 acres each or less in area, or
- b) Seven or more parcels or building sites of 10 acres each or less in area, created by successive division within a period of 5 years.
- c) A land division defined as a subdivision and requiring approval from the State under Chapter 236, Wis. Stats.

**4-9-4: ROAD NAME SELECTION**

D. When consistent with the public interest in providing government and emergency services, and on application of the owner, the County Planning Agency may name private roads following the same process that is used in naming public roads provided that the owner or owners of the lands on which any private road is located agree, by written instrument, to maintain approved signs displaying the road name or names assigned by the Agency. An owner or owners, together with the heirs, successors and assigns, shall not thereafter change the name of any such road without written consent of the Agency.

**SIGNED: LAND USE AND ZONING COMMITTEE**

Harvey Mandel, Chair

Herb Hanson, Vice-Chair

Al Benzschawel

Jeff Thomm

Cathy Cryor Burgweger

Motion by Mandel, seconded by Hanson to adopt Ordinance 06-0601. After considerable discussion, Supervisor Guth asked for a roll call vote. Roll call vote passed by a majority vote, with 14 yes votes, 11 no votes being Guth, Dalton, Wolter, Torkelson, Kubly, Hoesly, Keegan, Everson, Davis, Curran and Rufenacht, and 1 abstaining being Disch.

**ORDINANCE 06-0602**

***Modification Regarding Sheriff's Living Quarters***

**WHEREAS**, the Green County Law Enforcement Committee has supervision over the Green County Sheriff's Department; and

**WHEREAS**, having reviewed the Green County Code, the Committee has determined the Code continues to provide that the Sheriff shall be granted the use of living quarters at the Jail, together with utilities; and

**WHEREAS**, neither the current Sheriff, nor the prior Sheriff have exercised this right; and

**WHEREAS**, the former Sheriff's residence is being utilized as a training center.

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that the following additions, deletions and corrections be made to Title 1-6-7-3 of the Green County Code.

**1-6-7-3:SALARY; FEES**

The Green County Sheriff shall be on a straight salary basis without receiving any fees personally whatsoever, ~~except that he/she shall be granted the use of the living quarters of the jail together with the utility facilities therein such as lights, telephone, gas, water and sewer, expense free.~~ All fees normally collected by the Sheriff, Undersheriff, and full-time Sheriff's Deputies for travel, service of process, execution sales, foreclosure sales and any and all fees heretofore generally earned by the said Sheriff, Undersheriff or full-time Deputies shall be charged and collected by said Sheriff, Undersheriff, and full-time Deputies and paid to the County Treasurer monthly. (R4-16-47; amd. 1982; Ord. 06-0602, 6-13-06)

**SIGNED: LAW ENFORCEMENT COMMITTEE**

Dave Rufenacht, Chair

Cal Wickline, Vice-Chair

Sherry Condon

Dennis Dalton

Gary Keegan

Motion by Dalton, seconded by Rufenacht to adopt Ordinance 06-0602. Motion carried by a unanimous voice vote.

Motion by Hanson, seconded by Benzschawel to approve the annual report for Zoning Department. Motion carried by a unanimous voice vote.

Motion by Hart, seconded by Cousin to approve the annual report for Human Services. Motion carried by a unanimous voice vote.

Motion by Dalton, seconded by Rufenacht to approve the annual report for Sheriff Department. Motion carried by a unanimous voice vote.

Motion by Hart, seconded by Cousin to approve the following appointments to the Long Term Support Committee: two-year terms to expire June 1, 2008 include Herb Hanson and Michael Furgal as County Board Representatives, Sandy Horn as Human Services Board Representative, Marlea Duerst as Aging Advisory Representative, Sandy Shippy as Physically Disabled Consumer Representative, and Carla Stadel as Hospital Representative; and also Pete Lear to fill the vacant Nursing Home Representative for a term to expire on June 1, 2007. Motion passed by a unanimous voice vote.

Motion by Furgal, seconded by Guth to approve the following travel requests: a Sheriff Department Lieutenant to attend a Collision Safety Certification class on July 12-14 in Overland Park, Kansas; Sherri Hawkins to attend the Wisconsin Land Information Association Regional Conference on June 8-9 in Elkhart Lake; and Carol Thompson to attend the Wisconsin Clerk of Circuit Court Summer Conference and Educational Seminar on June 21-23 in Wisconsin Dells. Motion carried by a unanimous voice vote.

Motion by Hanson, seconded by Disch to adjourn. Motion passed.

STATE OF WISCONSIN )

)SS

COUNTY OF GREEN )

I, Michael J. Doyle, County Clerk, in and for said County, do hereby certify that the above and foregoing is a true and correct copy of the proceedings of the County Board of Supervisors of Green County, Wisconsin, on their meeting of June 13, 2006, A.D.

Michael J. Doyle

Green County Clerk